

Nick Pacheco, Esq. (SBN 173391)
nickpacheco@nickpachecolaw.com
NICK PACHECO LAW GROUP, APC
15501 San Fernando Mission Blvd., Suite 110
Mission Hills, CA 91345
Telephone: (888) 888-8641
Facsimile: (800) 210-0028

Attorneys for Plaintiff
Epifanio Villanueva Corrales

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EPIFANIO VILLANUEVA CORRALES, an individual, Case No.: 5:13-CV-05601-EJD

Plaintiff,

vs.

CENTRAL MORTGAGE COMPANY
WHICH WILL DO BUSINESS IN
CALIFORNIA AS CENTRAL MORTGAGE
LOAN SERVICING COMPANY and DOES 1
through 20, Inclusive,

Defendants.

**PLAINTIFFS' NOTICE OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41 (a)(1)(i)**

PLEASE TAKE NOTICE that Plaintiff EPIFANIO VILLANUEVA CORRALES, pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses all claims in this action, *without prejudice* as to all defendants.

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

(a) VOLUNTARY DISMISSAL

(1) By the Plaintiff.

1 (A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2 and 66 and
2 any applicable federal statute, the plaintiff may dismiss an action without a
3 court order by filing;

4 (i) a notice of dismissal before the opposing party serves either an answer
5 or motion for summary judgment.

6 Defendants have neither answered Plaintiffs' Complaint, nor filed a motion for summary
7 judgment. Accordingly, this matter may be dismissed without prejudice and without an Order of
8 the Court.

9 All attorneys' fees and costs of court are to be borne by the party that incurred them.

10 The Clerk shall close this file.

11
12 Date: February 4, 2014

By: /S/ NICK PACHECO
NICK PACHECO, ESQ.
Attorney for Plaintiff
EPIFANIO VILLANUEVA
CORRALES

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2014, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants.

T. Robert Finlay, Esq.
rfinlay@wrightlegal.net
Richard J. Lee, Esq.
rlee@wrightlegal.net
WRIGHT, FINLAY & ZAK, LLP
4665 MacArthur Court, Suite 200
Newport Beach, CA 92660
Tel: 949-477-5050
Fax: 949-608-9142

Ronald M. Arlas, Esq.
rarlas@wrightlegal.net
WRIGHT, FINLAY & ZAK, LLP
907 Sir Francis Drake Blvd.
Kentfield, CA 94904
Tel: 415-230-4350
Fax: 415-455-0370

I also caused the foregoing **PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 41 (a)(1)(i)** to be served by U.S. Mail with postage prepaid upon the parties.

A copy to chambers was also sent with Notice of Electronic Filing via GSO on February 4, 2014.

Hon. Edward J. Davila
San Jose Courthouse-Courtroom 4 – 5th Floor
280 South 1st Street, San Jose, CA 95113

Date: February 4, 2014

By: /s/ Giovanni Benavidez
Giovanni Benavidez